

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

CARL SCOTT CHANEY,

Plaintiff,

vs.

JERRY SHUMAKER, CHARLES
HAGENS, DENISE FELTON,
ARCHIE GRANT, MAGGIE MILLER-
STOUT, KELLEY JUSTICE, and
LEE G. BENNETT,

Defendants.

NO. CV-06-168-LRS

ORDER DISMISSING COMPLAINT WITHOUT
PREJUDICE AND DIRECTING THAT
COLLECTION OF THE FILING FEE CEASE

BEFORE THE COURT is Plaintiff Carl Scott Chaney's Motion to Voluntarily Dismiss Complaint pursuant to Fed. R. Civ. P. 41(a). Defendants have not been served in this action. Accordingly, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 18) is **GRANTED** and the Complaint is **DISMISSED WITHOUT PREJUDICE**.

Plaintiff also filed a Motion and Affidavit to waive collection of the remaining balance of the filing fee in this action. For good cause shown, **IT IS ORDERED** Plaintiff's Motion (Ct. Rec. 19) is **GRANTED** and the institution having custody of Mr. Chaney shall cease collection of the filing fee in this action, cause number **CV-06-168-LRS**. **IT IS FURTHER ORDERED** any pending motions are **DENIED as moot**.

ORDER DISMISSING COMPLAINT WITHOUT PREJUDICE AND DIRECTING THAT
COLLECTION OF THE FILING FEE CEASE -- 1

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment of dismissal without prejudice, forward a copy to Plaintiff and close the file. The District Court Executive is further directed to send a copy of this Order to the Office of the **Department of Corrections, Attn: LFO/COS UNIT, P.O. Box 41107, Olympia, WA 98504-1107**, to forward to the appropriate agency having custody of Plaintiff. The District Court Executive also **shall** provide a copy of this Order to the Financial Administrator for the United States District Court, Eastern District of Washington.

DATED this 26th day of September, 2006.

s/Lonny R. Suko

LONNY R. SUKO
UNITED STATES DISTRICT JUDGE